



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Federal Operating Permit

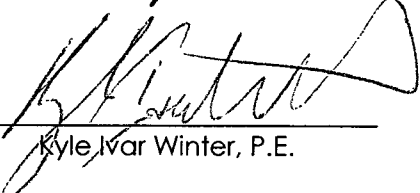
STATEMENT OF LEGAL AND FACTUAL BASIS

King and Queen Sanitary Landfill
Republic Services, Inc., BFI Waste Systems of Virginia, LLC
4333 Iris Road
Little Plymouth, VA 23091
Permit No. PRO - 40937

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, BFI Waste Systems of Virginia, LLC has applied for a Title V Operating Permit for its King and Queen Sanitary Landfill. The Department has reviewed the application and has prepared a draft renewal Title V Operating Permit.

Engineer/Permit Contact:  Date: August 31, 2015
"Sparky" H.L. Lisle, Jr.
(804) 527-5148

Air Permit Manager:  Date: August 31, 2015
James E. Kyle, P.E.

Regional Permit Manager:  Date: August 31, 2015
Kyle Ivar Winter, P.E.

FACILITY INFORMATION

Permittee/Facility
 King and Queen Sanitary Landfill
 Republic Services, Inc., BFI Waste Systems of Virginia, LLC
 4333 Iris Road
 Little Plymouth, VA 23091

Responsible Official
 Mr. Drew Isenhour
 Area President

Facility Contact
 Mr. Tim Torrez
 Environmental Manager
 804-640-7674

County-Plant Identification Number: 51-097-0017

SOURCE DESCRIPTION

NAICS Code 562212 – Municipal Solid Waste (MSW) Sanitary Landfill (L01) with a design capacity of 56.19 million megagrams/61,940,000 cubic yards accepting MSW on 269 acres of lined disposal area, which includes Phases 1, 2, 3, 4, and 5. The facility has an active Gas Collection and Control System GCCS with one 3000 scfm open flare PCD- 01 and one 6000 scfm enclosed flare PCD-03.

The facility is subject to the New Source Performance Standard (NSPS) 'Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills and the Landfill MACT (40 CFR 63 Subpart AAAA). Because the facility is subject to Subpart WWW, it is required to collect and control the emission of landfill gas and is subject to Title V permitting. The King and Queen Sanitary Landfill Facility began accepting waste in June 1, 1994. An Initial Design Capacity Report was received from King and Queen Sanitary Landfill Facility approximately 1994. The Gas Collection and Control System (GCCS) Design Plan was submitted by the source on June 6, 1997 and the GCCS was installed in June 1997. The latest GCCS Design Plan was approved on September 21, 2012. The initial Title V permit was issued on May 12, 2000 and amended on July 22, 2005. The initial semi-annual report was submitted on October 25, 2000. The 3000 scfm open flare PCD-1 and 6000 scfm enclosed flare PCD-3 was last permitted on February 14, 2013, revised for SO₂ on November 20, 2014. The currently installed flares, PCD-01 and PCD-03 initial performance testing consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

Testing Date	Test Report	Received	Approved
F01	Removed.		
PCD-01*	January 18, 2005	March 7, 2005	May 3, 2006
PCD-02	Not Installed and removed from permit.		
PCD-03*	January 13, 2010	February 19, 2010	June 10, 2010

* Installed flares met the operating and emission limitations of 40 CFR 60.18 during the initial performance Tests.

The facility is a Title V major source of CO. This source is located in an attainment area for all pollutants, and is a PSD minor source. This air permit action is both a significant permit modification based on the February 14, 2013 State Major permit (amended on November 20, 2014) and is a Title V permit renewal. The renewal application was received on January 21, 2010 and was deemed timely and administratively complete. Therefore, the Title V permit application shield is in place and application was complete on August 31, 2015 based on minor permit wording changes by the applicant.

COMPLIANCE STATUS

A full compliance evaluation (FCE) inspection of this facility, including a site visit, was conducted on November 7, 2013. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consists of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
L01	1	Municipal Solid Waste Landfill, Solid Waste Permit No. 554, which includes Phases 1, 2, 3, 4, and 5 with GCCS.	56.19 million Megagrams/ 61,940,000 CY 90 Million BTU/Hour, 3000 scfm maximum 180 Million BTU/Hour, 6000 scfm maximum	GCCS and Open Flare System – <u>Primary</u> (PEI or equal - LFG Specialties, Inc.) or Enclosed Flare System – <u>Secondary</u> (John Zink or equal)	PCD-01 PCD-03	NMOC	11/20/2014
---	---	Landfill Surface and Roads	---	---	---	---	---
SF1-SF8		Up to Eight (8) Solar Flares	(1.5 Million BTU/Hr) =<400 scfm Total	None.	SF1-SF8	VOC/HAP S/CO/NO X/SOX/PM	11/20/2014
EG-1		Emergency Diesel Generator Set	225 kW ~335 HP	None.	EG-1	VOC/HAP S/CO/NO X/SOX/PM	11/20/2014

EMISSIONS INVENTORY

A summary of King and Queen Sanitary Landfill, BFI Waste Systems of Virginia, LLC facilities' 2013 annual emissions is shown below. Emission levels are expected to increase over time as the landfill waste decomposes.

2013 Criteria Pollutant Emission in Tons/Year						
Emission Unit	CO	NO _x	SO ₂	PM/ PM ₁₀ /PM _{2.5}	VOC	NMOC
PCD-01	8.27	1.53	0.37	0.37/0.37/0.37	0.05	0.12
PCD-03	19.26	3.54	0.86	0.87/0.87/0.87	0.11	0.28
Total	27.53	5.07	1.23	1.24/1.24/1.24	0.16	0.40

EMISSION UNIT APPLICABLE REQUIREMENTS - [emission unit #s LO1, PCD-1 and PCD-2)

The 11/20/2014 NSR permit conditions 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 are included in the Title V permit. These conditions limit flare opacity, hourly and annual emissions, operational standards (NSPS 60.18), flare fuel types, flare fuel quantity, operational standards for the active gas collection/control system and mandates gas mover operation/shutdown to prevent venting for more than one hour and facility-wide Federal standards for Municipal Solid Waste Landfills.

The BFI King and Queen Municipal Solid Waste (MSW) Sanitary Landfill (LO1) has a design capacity of 56.19 million megagrams/61,940,000 cubic yards accepting MSW on 269 acres of lined disposal. Therefore, the landfill is regulated according to New Source Performance Standards (NSPS), Subpart WWW and National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart AAAA for Municipal Solid Waste Landfills. As stated in 40 CFR 60.752(b), landfills above the 2.5 million cubic meters and 2.5 million Mg design capacity are subject to Title V permitting requirements.

Fuel Burning and Process Equipment - Limitations

The limitations are for the Gas Collection and Control System as they relate to 40 CFR 60, Subpart WWW for landfill size, expected active collection system performance (gas wellheads), installed flares and operational requirements for LO1, PCD-01, PCD-03 and EG-1. The 11/20/2014 NSR permit limitation conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 are included in the Title V permit as conditions 1 - 15.

The following Virginia Administrative Code, New Source Performance Standards and two National Emission Standards for Hazardous Air Pollutants have specific emission and other requirements that have been determined to be applicable:

- ▶ **40 CFR 60 Subpart WWW – Standards of Performance for Municipal Solid Waste Landfills** – Applicable to the entire landfill including the gas collection and control system (LO1) and the flares (PCD-01 and PCD-03).
- ▶ **40 CFR 63 Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills** – Applicable to the entire landfill including the gas collection and control system (LO1) and the flares (PCD-01 and PCD-03).
- ▶ **40 CFR 63 Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engine (RICE)** - Applicable to the existing emergency generator (EG-1) and any other applicable landfill gas engines, if replaced, modified or reconstructed.

40 CFR 63 MACT Subpart ZZZZ

The landfill facility has one emergency diesel fired 225 KW (335 Hp) generator that was built and installed in CY 2005 and has applicable requirements that apply from 40 CFR 63, MACT Subpart ZZZZ for an existing emergency generator less than or equal to 500 HP at an area source. The 40 CFR 63, MACT Subpart ZZZZ for area sources Federal standard is **not** delegated to the Commonwealth of Virginia at this time.

All 40 CFR 63, MACT Subpart ZZZZ for the generator reporting requirements are contained in Conditions 16 and 17 and are in the permit for easy removal or replacement as this engine is subject to replacement.

Condition III.A.16 - Emissions Limit

MACT ZZZZ §§63.6590(a)(1)(iii) A stationary RICE located at an area source of HAP emissions is existing if the facility commenced construction of the stationary RICE before June 12, 2006.

§§63.6590

§63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) Affected source. An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) Existing stationary RICE.

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

Condition III.A.17 – Emissions Limit

Subpart ZZZZ—Standards of Performance for Reciprocating Internal Combustion Engine (RICE)

The existing 225 KW (335 Hp) emergency generator (EG-1), a diesel or No. 2 fuel oil fired Reciprocating Internal Combustion Engine (RICE) was installed at the landfill in CY2005 and must comply with applicable requirements in 40 CFR § 63.6602, 40 CFR § 63.6605, 40 CFR § 63.6625, 40 CFR § 63.6640, 40 CFR § 63.6645, 40 CFR § 63.6650, 40 CFR § 63.6655, 40 CFR § 63.6660, and Subpart ZZZZ –Tables for Existing emergency or black start CI stationary RICE (unless replaced or modified). The requirements for 40 CFR Part 60 Subpart IIII do not apply at this time because EG-1 is not subject to the subpart. The Condition 17 is a verbatim list of emergency generator located at an area source applicable requirements for 40 CFR 63 MACT Subpart ZZZZ (not delegated to Virginia at this time).

NOTE: Portable engines on the site are typically listed in the insignificant table and are nonroad engines because they do not qualify based on the definition in §1068.30 listed on the next page. The engines have remained at the site for more than 12 months, but the engines are not applicable to 40 CFR 60 NSPS Subpart IIII/JJJJ. This is because they have not been modified or replaced with engines that are applicable based on engine size (HP or displacement), type and manufacture, or installation, or modification dates. All existing emergency compression ignition (CI) stationary RICE, shall be in compliance with 40 CFR 63, Subpart ZZZZ.

§ 1068.30 What definitions apply to this part?

The following definitions apply to this part. The definitions apply to all subparts unless we note otherwise. All undefined terms have the meaning the Clean Air Act gives to them.

The definitions follow:

[...]

Nonroad engine means:

(1) Except as discussed in paragraph (2) of this definition, a nonroad engine is an internal combustion engine that meets any of the following criteria:

(i) It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).

(ii) It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).

(iii) By itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

(2) An internal combustion engine is not a nonroad engine if it meets **any** of the following criteria:

(i) The engine is used to propel a motor vehicle, an aircraft, or equipment used solely for competition.

(ii) The engine is regulated under 40 CFR part 60, (or otherwise regulated by a federal New Source Performance Standard promulgated under section 111 of the Clean Air Act (42 U.S.C. 7411)).

(iii) The engine otherwise included in paragraph (1)(iii) of this definition remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. See § 1068.31 for provisions that apply if the engine is removed from the location.

Fuel Burning and Process Equipment – Monitoring

Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Therefore, this regulation does not apply for this permitted facility.

The monitoring requirements listed in the Title V permit have been drafted to meet Part 70 requirements and those contained in 40 CFR 60.756. If monitoring demonstrates that the requirements pertaining to the landfill operational standards are not being met, corrective action shall be taken as specified in 40 CFR 60.755. The 11/20/2014 NSR permit conditions 19, 20, 21, 22, and 23 are included in the Title V permit as conditions 18 - 22. The landfill periodic monitoring is a combination of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA requirements to monitor and control well pressure and parameter monthly (and as prescribed), surface monitoring design, quarterly surface monitoring, surface monitoring corrective actions, monthly cover integrity and monthly landfill gas temperature.

The NSPS Subpart WWW requires the Facility to maintain records including design capacity of the landfill, the current amount of solid waste in place, and the year-by-year waste acceptance rate. Also, the permit requires calculation of NMOC emission rate using the procedures described in NSPS Subpart WWW. These are included as the monitoring conditions described above and include a flare periodic monitoring condition 23 for weekly observation that the operating flares have no visible emissions or that corrective action is taken to return them to a condition of no opacity per:

At least once per week an observation of the presence of visible emissions from the operating flares (PCD-01 and PCD-03) shall be made. If visible emissions are observed, the Facility shall either take timely corrective action such that the flare(s) resumes operation with no visible emissions, or perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 22. The VEE shall be conducted and details recorded in the logbook. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the flare(s) resumes operation with no visible emissions. If visible emission inspections conducted during twelve consecutive weeks show no visible emissions for a particular stack, the permittee may reduce the monitoring frequency to once per month for that stack. Anytime the monthly visible emissions inspections show visible emissions, or when requested by DEQ, the monitoring frequency shall be increased to once per week for that stack.

Fuel Burning and Process Equipment - Recordkeeping

The permit includes requirements for maintaining records of all monitoring and testing required by 40 CFR 60.758. These records include the current maximum design capacity, current amount of refuse in place, and year by year refuse accumulation rates, the non-degradable refuse amount, the date and location of all newly installed wells, the plot showing each existing and planned well, the Maximum expected gas generation flow rate, the density of wells, the type of flares, the annual throughput of landfill gas, the monthly monitored gauge pressure, temperature, and nitrogen or oxygen concentration for each well, the monthly cover integrity monitoring, the quarterly monitored methane concentration at the landfill surface, the landfill gas flow, recorded at least once every 15 minutes for the PCD-01 open flare and PCD-03 enclosed flare, the exceedances for the monitoring requirements, the decommissioned wells and supporting documentation to show the reason for decommissioning each well, any inoperable periods exceeding 1 hour for the collection or control system, the date of first waste placement for Phases 1, 2, 3, 4, and 5, the estimated annual site specific density and maximum design capacity, the most recent approved gas collection and control system design plan, control efficiency tests of the control equipment, the dates and results of all TRS sampling and all monitoring information for the GCCS and flares. These records shall be available for inspection by the DEQ and shall be current for the most recent five (5) years. The 11/20/2014 NSR permit condition 24 is included in the Title V permit as condition 24.

Fuel Burning and Process Equipment - Testing

The currently installed flares, PCD-01 and PCD-03, initial performance testing consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	Testing Date	Test Report Received	Approved
F01	Removed.		
PCD-01*	January 18, 2005	March 7, 2005	May 3, 2006
PCD-02	Not Installed and removed from permit.		
PCD-03*	January 13, 2010	February 19, 2010	June 10, 2010

* Installed flares met the operating and emission limitations of 40 CFR 60.18 during the initial performance Tests.

The permit requires the source determine the actual NMOC concentration, LFG flow rate and shall calculate the NMOC emission rate, and conduct TRS sampling. The Department and EPA has authority to require testing not included in this permit if necessary to determine compliance with an emission limits or standards. The 11/20/2014 NSR permit conditions 17, 18 and 28 are included in the Title V permit as conditions 25 - 27.

Fuel Burning and Process Equipment - Reporting

All reports required by NSPS Subpart WWW (Section 60.755) shall be prepared and submitted to US EPA and the Piedmont Regional Office in accordance with procedures outlined in NSPS Subpart WWW (Section 60.757). The 11/20/2014 NSR permit conditions 25, 26 and 27 are included in the Title V permit as conditions 28 - 30.

Fuel Burning and Process Equipment – Facility wide limitations

All reports required by MACT Subpart AAAAA, including deviations for out of range monitoring parameters shall be prepared and submitted to US EPA and the Piedmont Regional Office in accordance with procedures outlined in MACT Subpart AAAAA (Section 63.1980). All reports addressed to the US EPA Region III have had the email address added after the mailing address (R3_APD_Permits@epa.gov). The 11/20/2014 NSR permit condition 29 is included in the Title V permit as condition 31.

Streamlined Requirements

None.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement NO. 3-2001".

This general condition cites the Articles that follow:

Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80.

Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

9 VAC 5-80-80. Application

9 VAC 5-80-140. Permit Shield

9 VAC 5-80-150. Action on Permit Applications

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

This general condition cites the sections that follow:

9 VAC 5-40-41. Emissions Monitoring Procedures for Existing Sources

9 VAC 5-40-50. Notification, Records and Reporting

9 VAC 5-50-50. Notification, Records and Reporting

This general condition contains a citation from the Code of Federal Regulations as follows:
40 CFR 60.13 (h). Monitoring Requirements.

J. Permit Modification

This general condition cites the sections that follow:

9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources

9 VAC 5-80-190. Changes to Permits.

9 VAC 5-80-260. Enforcement.

9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources

9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:

9 VAC 5-60-70. Designated Emissions Standards

9 VAC 5-80-110. Permit Content

STATE ONLY APPLICABLE REQUIREMENTS

The Title V permit contains the NSR permit dated November 20, 2014; condition number 38, requiring an odor management plan as a State Only Requirement. The odor management plan has already been submitted and is in use. The plan process is reviewed and any changes submitted by March 1st each year.

FUTURE APPLICABLE REQUIREMENTS

On May 23, 2002, EPA proposed significant revisions (67 FR 36476) in order to clarify: 1) responsibility for compliance activities on-site; 2) definition of treated landfill gas; 3) initial test performance test requirements; and 4) compliance activities conducted by third parties with control systems off-site. A copy of 67 FR 36476 is attached to the Title V permit and this SOB for reference.

INAPPLICABLE REQUIREMENTS

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements that have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
Existing Source Rule 4-43 (9 VAC 5-40-5800) and 40 CFR 60 subpart Cc	Emission Standards and Emission Guidelines for Sanitary Landfills	These regulations only apply to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.
40 CFR 64	Compliance Assurance Monitoring	Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Since the landfill facility is subject to the requirements of NSPS Subpart WWW and MACT AAAA, CAM does not apply.
40 CFR 75	Acid Rain Regulations	This landfill does not have a "Qualifying Facility."
40 CFR Parts 51,52,70 and 71	Title V Greenhouse Gas Tailoring Rule,	Title V Greenhouse Gas Tailoring Rule, 40 CFR Parts 51, 52, 70 and 71, does not apply to the facility as it is an existing PSD source not currently subject to PSD modification for any pollutant.
Existing Source Rule 4-8 (9 VAC 5-40-880)	Emission Standards for Fuel Burning Equipment	<i>"E. The provisions of this article do not apply to stationary internal combustion engines."</i>
Existing Source Rule 4-25 (9 VAC 5-40-3410) and 4-37 (9 VAC 5-40-5200) and 40 CFR 60, Subpart NSPS Kb,	Emission Standards for Tanks	This landfill does not have a "Qualifying Facility."

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-20 A.4	Startup, shut down, and malfunction opacity exclusion	The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

COMPLIANCE PLAN

The permittee has certified that this facility is in compliance with all state and federal regulations. No compliance schedule has been included with this permit.

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, record keeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110. The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted	Rated Capacity (5-80-720 C)
L03	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	1,000,000 Gallons
L04	Fixed roof, vertical leachate storage tank	5-80-720 B.	VOC	1,000,000 Gallons
L05	Horizontal Above Ground Diesel Fuel storage tank	5-80-720 B.	VOC	4,000 Gallon off road diesel
L10	Clean Burn Oil Heater (Used Oil)	5-80-720 B.	VOC/HAPS/CO/NOX/SOX/PM	7 Gallons per hour? (< 1 Million BTU/Hr)

The citation criteria for insignificant activities are as follows:

- 9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application
- 9 VAC 5-80-720 B - Insignificant due to emission levels
- 9 VAC 5-80-720 C - Insignificant due to size or production rate

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, record keeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110. EG-1 is a significant unit due to MACT ZZZZ applicability.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The proposed permit was be place on public notice in the Tidewater Review from June 24, 2015 to July 24, 2015. The US EPA concurrent comment period ended on August 10, 2015 and all minor comments resolved with changes included in the final draft sent to US EPA on August 27, 2015.